



IFW
PATENT

CERTIFICATE OF MAILING

I hereby certify that on 6/23/05 this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Maria Nadal

Maria Nadal

Applicant: Roger A. Acey

Serial No.: 10/797,748

Filed: 03/09/2004

Title: Metal Binding Proteins and
Associated Methods

Examiner: Robert A. Wax

Group Art Unit: 1653

Atty Docket No.: 51302-00002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST TO CORRECT FILING RECEIPT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that the enclosed filing receipt be corrected to reflect the correct domestic priority data as claimed by Applicant. Please remove Serial Nos. 09/636,057 and 60/148,526 as domestic priority data in the above-referenced application.

The Commissioner is hereby authorized to charge any additional filing fees or credit any overpayment to Deposit Account No. 50-3207. A duplicate copy of this sheet is attached.

Respectfully submitted,

Dated: 6/22/05

Michelle Glasky
Michelle S. Glasky, Ph.D.
Registration No. 54,124

PRESTON GATES & ELLIS LLP
1900 Main Street, Suite 600
Irvine, California 92614-7319
Telephone: 949.253-0900
Facsimile: 949.253-0902
Customer Number 45,200



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/797,748	03/09/2004	1645	622	51302-00002	1	14	4



45200
 PRESTON GATES & ELLIS LLP
 1900 MAIN STREET, SUITE 600
 IRVINE, CA 92614-7319

CONFIRMATION NO. 4003

UPDATED FILING RECEIPT



OC000000013869423

Date Mailed: 09/22/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Roger A. Acey, Bellflower, CA;
 Michael Mustillo, Long Beach, CA;
 Brenton G. Harpham, Thousand Oaks, CA;

Received
 PATENT DEPARTMENT
 SEP 27 2004

Assignment For Published Patent Application

MGP Biotechnologies LLC, Irvine, CA

Preston Gates Ellis
 (docketed, 9/27/04, ddf)

Power of Attorney:

Louis Cullman--39645

Domestic Priority data as claimed by applicant

This application is a DIV of 09/948,495 09/06/2001 PAT 6,750,056
 and is a DIV of 09/636,057 08/10/2000 PAT 6,667,151
 which claims benefit of 60/148,526 08/12/1999

Foreign Applications

If Required, Foreign Filing License Granted: 08/18/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,
US10/797,748

Projected Publication Date: 12/30/2004

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Metal binding proteins and associated methods

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).